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Security Council

Sixty-third year

Provisional

5947th meeting

Thursday, 31 July 2008, 9.40 p.m.

New York

President:	Mr Le Luong Minh	(Viet Nam)
Members:	Belgium	Mr. Grauls
	Burkina Faso	Mr. Kafando
	China	Mr. Wang Guangya
	Costa Rica	Mr. Urbina
	Croatia	Mr. Skračić
	France	Mr. De Rivière
	Indonesia	Mr. Kleib
	Italy	Mr. Mantovani
	Libyan Arab Jamahiriya	Mr. Mubarak
	Panama	Mr. Suescum
	Russian Federation	Mr. Churkin
	South Africa	Ms. Qwabe
	United Kingdom of Great Britain and Northern Ireland	Sir John Sawers
	United States of America	Mr. Wolff

Agenda

Reports of the Secretary-General on the Sudan

Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur (S/2008/443)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

08-44474 (E)

The meeting was called to order at 9.40 p.m.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan

Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur (S/2008/443)

The President: I should like to inform the Council that I have received a letter from the representative of the Sudan in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Mohamad (Sudan) took the seat reserved for him at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2008/506, which contains the text of a draft resolution submitted by the United Kingdom of Great Britain and Northern Ireland.

Members also have before them the report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur in document S/2008/443.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Belgium, Burkina Faso, China, Costa Rica, Croatia, France, Indonesia, Italy, Libyan Arab Jamahiriya, Panama, Russian Federation, South Africa, United Kingdom of Great Britain and Northern Ireland, Viet Nam

Against:

None

Abstaining:

United States of America

The President: The result of the voting is as follows: 14 votes in favour, none against and 1 abstention. The draft resolution has been adopted as resolution 1828 (2008).

I shall now give the floor to those members of the Council who wish to make statements following the voting.

Sir John Sawers (United Kingdom): May I begin by saying that the United Kingdom welcomes the adoption of resolution 1828 (2008) by the Security Council today and that, as the informal coordinator of the resolution, I am very grateful to all Council members for their help. We came very close to achieving a consensus, and I regret that it was only lack of time, really, that prevented us from being able to address the outstanding concerns of one delegation.

I want to make two fundamental points about today's discussions. The first is that the entire Council, we believe, is behind the African Union-United Nations Hybrid Operation in Darfur (UNAMID) and wants it to succeed. I think that will become clear in the statements that we are making after this vote.

When in 2007 the Security Council first mandated the African Union-United Nations force in Darfur, we made a commitment to help bring security to the people of Darfur. We have renewed that commitment today. It is not a commitment that we take lightly. The recent attack in which seven peacekeepers were killed was a grim reminder of the difficulties and dangers that UNAMID peacekeepers face daily. I pay tribute once again to those who died. We owe it to them and to their colleagues to renew our efforts for peace and stability in Darfur, throughout Sudan and throughout the region.

The second point I want to make about today's discussions is that no position has been taken by the

Security Council on the question of whether to take any action in the light of the proposal of the Chief Prosecutor of the International Criminal Court (ICC) to indict President Al-Bashir. That issue is to be addressed on another day.

Let me be clear about the United Kingdom's position. The United Kingdom did not believe that it was right to consider such an important issue as part of a resolution renewing UNAMID's mandate. It was of course the Security Council that decided in resolution 1593 (2005) that the situation in Darfur warranted investigation by the ICC. We will not stand in the way of a Security Council discussion of whether there is a case for invoking article 16 of the Rome Statute in relation to President Al-Bashir, but that discussion will raise profound questions about the relationship between peace and justice. It is not something that the Security Council should rush into.

Building on the support for today's resolution, the Security Council and the Secretariat are facing three tasks in the future. First, we should do all we can to accelerate UNAMID's deployment. This resolution endorses the Secretary-General's target of having 80 per cent of the force in place by the end of this year, that is, in five months' time. We all know the obstacles, but much more needs to be done to overcome them.

Secondly, the Council has to give its unstinting support to the political process. We very much welcome the appointment of Mr. Bassolé as Chief Mediator; he has our full backing.

Thirdly, the Council will need to continue considering the important issues of justice and impunity in Darfur. Article 16 of the ICC Statute will be part of that discussion, but it will not be only the part. Sudan's lack of cooperation with the ICC will also be directly relevant, as will other factors.

The Council's discussions on Darfur have made clear that, while there are different views on tackling the issue of impunity, our support for UNAMID and the efforts of the United Nations and the African Union to bring security and stability to Darfur is unstinting. Those efforts are central to the pursuit of peace in Darfur, and the Security Council cannot give up on that goal. It is still some way off. It will require patience, determination and a willingness to grapple with difficult decisions along the way, but peace is attainable, and we must continue to strive for it.

Mr. Churkin (Russian Federation) (*spoke in Russian*): The Russian Federation has consistently supported the efforts of the international community to resolve the situation in the Sudanese province of Darfur. The activities of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) have become an inseparable component of the Darfur peace process, and their significance cannot be overestimated. Moreover, UNAMID is a good example of close, practical cooperation between the United Nations and the African Union in the area of peacekeeping in Africa. Accordingly, we deemed it necessary not just to support but to insist on the timely adoption of the draft resolution extending the mandate of UNAMID.

However, we have serious concerns about the possible negative development of events in the Sudan following the application of the Prosecutor of the International Criminal Court (ICC) to the judges of the ICC requesting the issuance of a warrant to arrest the President of the Sudan. We do not rule out the possibility that hardline rebel groups hampering progress in the Darfur political process will take advantage of the situation in order to step up their campaign against the Government of Sudan in this region. Concern in that respect has been expressed by senior Secretariat officials. The United Nations partner in UNAMID, the African Union, stated that it was advisable for the Council to exercise its authority under article 16 of the Rome Statute of ICC to defer the decision of the Court. A similar position is held by the Non-Aligned Movement, the Organization of the Islamic Conference and the League of Arab States. States members of those authoritative organizations represent quite simply the views of two thirds of the international community.

Unfortunately, that concern was not fully reflected in the resolution as a result of resistance by a number of Security Council members. The position taken by those delegations could have unforeseen and negative consequences in the context of building relations between the Government of the Sudan and the international community to conduct a peacekeeping operation and to resolve the conflict in Darfur. The responsibility for those consequences fully rests on their shoulders.

We fully agree with the need for justice to be done in Darfur, including against persons indicted of heinous crimes. It must be done, however, without

neglecting other equally important factors that could have an impact on the stability of an important region of Africa. We hope that the Security Council will continue its search for the best balance between peace and justice in Darfur. That was precisely the appeal made by the Secretary-General.

Mr. Urbina (Costa Rica) (*spoke in Spanish*): Costa Rica views this meeting as an important occasion. We have just adopted a resolution, the text of which renews the mandate of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) and the commitment of this Council to peace in that region.

We always took part in the negotiations with the purpose of ensuring that the resolution include all the elements necessary for UNAMID to meet its objectives. In the course of the negotiations, we stated our opposition to the inclusion of elements that had no direct bearing on the Mission and that should have been addressed on a different occasion and in different circumstances.

We would have liked the resolution to spell out the role that justice should play, in the Council's view, in resolving the conflict in the Sudan. That is why we supported the original text, which referred to the presidential statement of 16 June 2008. However, we have voted in favour of a text that does not include that reference but that, in the first preambular paragraph, reaffirms all previous resolutions and presidential statements adopted by the Council on the situation in the Sudan. As far as Costa Rica is concerned, that paragraph unconditionally reaffirms the presidential statement of 16 June 2008, in which the Council unanimously reaffirmed resolution 1593 (2005) and its request to the Government of the Sudan to honour its obligations stemming from that resolution, including that of cooperating with the International Criminal Court.

My delegation welcomes the fact that the resolution we have just adopted maintains the Council's commitment to bring to justice those who have violated the rights of the most vulnerable in that conflict.

We also would have liked to include in the text a reference to other peacekeeping missions performing their tasks in countries bordering the Sudan. As on other occasions, we have advocated a regional approach that responds to the needs of the Sudan as a whole and takes into account the problems of neighbouring countries, the conflicts of which influence and determine the course of those in the Sudan.

In conclusion, we would like to make it very clear that we agreed to omit explicit reference in the resolution to elements that are important to us and vital for resolving the situation in the Sudan for the sake of unity in the Council and in order to ensure that UNAMID can carry out its mandate.

Mr. Skračić (Croatia): The Security Council has now adopted resolution 1828 (2008) authorizing the extension of the mandate of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) for another year. That is an outcome reached through extensive dialogue and consultations by members of the Security Council and the result of Council members' wishes to seek common ground, which unfortunately did not result in a much-desired consensus.

Croatia wanted the resolution to provide a swift and unambiguous extension to the mandate of UNAMID with the goal of achieving its planned 80 per cent deployment by year's end. UNAMID is currently the largest and most expensive United Nations operation and, as such, should command the unanimous support of the Council and requires clear guidance in order to make its logistics and deployment possible. Croatia strongly believes that that is crucial for the safety, security and well-being of the people of Darfur — the same people who have been suffering in the most horrific ways for simply far too long. The protection of those people is the main objective of the deployment of UNAMID and that is the primary reason that we voted for the adoption of the resolution, notwithstanding its being burdened by some important but unrelated additional elements.

That brings me to my main point, the cooperation of the Government of the Sudan with the International Criminal Court, which has been the source of some controversy and contention, even more so as references to it have been included in the resolution in question.

On behalf of my delegation, allow me to make the following observation. Croatia itself was the victim of brutal aggression in the early 1990s. If the recent history of our region has taught us anything, we can say with some certainty that impunity for war crimes does not bring stability to any conflict, but rather prolongs the realization of political settlements. If

anything, we have learned that the best foundation for real and sustainable peace based on reconciliation is justice and justice alone.

Another lesson learned that should be reiterated here is that war crimes are an individual responsibility and that people, not nations or ethnic groups, commit them. For that reason, Croatia has supported and continues to offer its full support for the work of the International Criminal Court and its Prosecutor. We see the Court as an independent body and do not wish to see any impediment to its free and independent work. We also understand that resolution 1828 (2008) reaffirms the text of the presidential statement of 16 June 2008, which clearly states that the Government of the Sudan should cooperate fully with the International Criminal Court in order to put an end to impunity for the crimes committed in Darfur.

On a final note, when considering the complexity of the problem in Darfur, in the Sudan and in the subregion, Croatia has also advocated a regional approach to the region's problems. For that reason, we have always welcomed and encouraged cooperation between the United Nations and African Union-led mission in the Sudan and neighbouring countries, and we would have liked to have seen the final text of the resolution make reference to those efforts.

Mr. Wang Guangya (China) (*spoke in Chinese*): The Security Council has just adopted a resolution on the extension of the mandate of the African Union-United Nations Hybrid Operation in Darfur (UNAMID). It is an important resolution. Its adoption has provided the basic guarantee for the successful implementation of the mandate of the largest international peacekeeping operation in the history of the United Nations. It is on those grounds that the Chinese delegation voted in favour of the resolution.

The issue of the Sudan has attracted the enormous attention of the international community in recent years. All parties have come to understand that the peace and stability of the Sudan, an important country on the African continent, has an impact on the peace and stability of the region and the continent as a whole that cannot be ignored. The Sudan is a country with a large territory, many neighbours and complicated historical, religious, economic and social issues. It has endured protracted wars and disputes.

However, in recent years, thanks to the concerted efforts of the Sudanese Government and all political forces in the country, and with the generous assistance of the international community, the Sudan has achieved notable progress in the peace process. The signing of the Comprehensive Peace Agreement signified the end of the decades-long war between the North and the South. People have every reason to expect that the Sudan will finally embark on the right track of peace and development.

The tremendous potential for development should not only enable the Sudan to feed and clothe its people and bring them a happy life, but also make it possible to contribute to peace and development in Africa as a whole, which is in the common interest of the international community. So long as they are conducive to the peace process in the Sudan, all efforts that help improve North-South relations in the country, facilitate the settlement of the Darfur issue and promote harmony between the various political parties deserve the generous support of the international community.

As part of the Sudan's domestic problems, the Darfur issue has been at the centre of the international spotlight in recent years. The Hybrid Operation in Darfur, jointly carried out by the United Nations and the African Union, is a mission involving huge investment and of unprecedented size. Its success not only concerns the early stabilization of the security situation in Darfur and the smooth delivery of humanitarian assistance on the ground, but also has an impact on the safety and security of the tens of thousands of international peacekeepers in the country.

Moreover, the fundamental solution to the Darfur issue lies in political negotiations. Without sincere political consensus of all parties in Darfur on the pursuit of peace, there can be no peace in the region, no matter how many international peacekeepers the United Nations sends to the region. The successes and failures of international peacekeeping operations in recent years have shown repeatedly that a basic prerequisite for the success of any international peacekeeping mission is to seek the appreciation and cooperation of the Government and the people of the country concerned. Without that prerequisite, international peacekeeping operations, no matter how meticulously designed, can experience setbacks and even failure.

Through several years of exploration, the international community has deepened its thinking on the Darfur issue and has gradually formed consensus

on basic approaches such as the dual-track strategy and the tripartite mechanism. The core of that approach is to give equal emphasis to the political process and the deployment of peacekeepers in an effort to establish a political mechanism of mutual trust and cooperation among United Nations, the African Union and the Sudanese Government, with particular emphasis on promoting the Sudanese Government's cooperation initiative. Those successful mechanisms have been important for the progress made so far and, thus, should be fully respected and supported by all parties.

The Darfur issue is very complicated. The international effort for its settlement involves various elements. To achieve desirable results and win the genuine support of the people of the Sudan and Africa, it is necessary to manage the overall balance and priorities of political negotiations, the deployment of peacekeepers, humanitarian relief, economic development and justice, and to move forward steadily with good coordination among all parties. Only in that way can the course of international peacekeeping continue along the correct path with healthy progress.

Any imprudent and hasty action that disregards the objective conditions, despite its good intentions, cannot gain the approval and support of the international community. At present, the parties concerned are striving to find a political solution to the Darfur issue, but no progress will be possible without the full cooperation of the Sudanese Government. The indictment of the Sudanese leader proposed by the Prosecutor of the International Criminal Court (ICC) is an inappropriate decision taken at an inappropriate time. It will seriously undermine the atmosphere of mutual political trust and cooperation between the United Nations and the Sudanese Government, fuel the arrogance of the rebel groups not willing in the political process and harm the fragile and turbulent security situation in Darfur.

The proposed indictment therefore inevitably came under extensive criticism from many countries, represented by important international organizations such as the African Union, the League of Arab States, the Organization of the Islamic Conference and the Non-Aligned Movement. That deserves the Security Council's full attention and respect. China is of the view that seeking to resolve the issue of impunity through the indictment of the Sudanese leader by the ICC will only derail the process of resolving the Darfur issue, and even render useless all efforts made so far by all parties for the proper settlement of the issue.

The Security Council bears the political responsibility for the overall peace process in the Sudan. It must approach the issue from the political perspective to ensure that the overall interests of the political process and the peacekeeping deployment in Darfur are not compromised.

Recently, during the consultations on the text of the draft resolution on the extension of the mandate of UNAMID, many members of the Council expressed insightful views that China fully endorses. China supports the reasonable request by the African Union and other organizations for the Council to take early action to suspend the indictment of the Sudanese leader by the ICC, in accordance with the relevant provisions.

The Chinese Government has done a great deal of work to push for the settlement of the Darfur issue. Chinese peacekeepers are already on the front line of the international peacekeeping operation in Darfur. At present, all the engineering contingents participating in the mission in Darfur have been deployed. The Chinese Government is duty-bound to create favourable conditions for them to carry out the international peacekeeping mission safely and smoothly. I solemnly pledge that the Chinese Government will work with the rest of the international community to push for an early settlement of the Darfur issue and to contribute to the peace, stability and development of Darfur.

Mr. Mubarak (Libyan Arab Jamahiriya) (*spoke in Arabic*): At the outset, allow me to commend the delegation of the United Kingdom for its tremendous effort in preparing today's draft resolution on the extension of the mandate of African Union-United Nations Hybrid Operation in Darfur (UNAMID) for a further 12 months, until 31 July 2009. We express our deep gratitude for the United Kingdom delegation's sterling conduct of the consultations on the draft resolution. My delegation participated in the consultations based on the general understanding that the basic purpose of the draft resolution was to extend UNAMID's mandate, taking into account the technical aspects relevant to completing the effective deployment of the mission, as expected and as stipulated in resolution 1769 (2007), without going into the new elements that are to be considered on their own tracks.

From the beginning of the consultations, the draft resolution contained elements referring to the principles of justice and combating impunity for the crimes committed in Darfur — principles on which all members of the Council agree. However, the content of those elements were conflated with recent measures taken by the Prosecutor of the International Criminal Court (ICC). The implications of those measures and the fears and concerns that they have aroused within and outside the Sudan have been expressed by several regional organizations, including the African Union, the Organization's main partner in UNAMID; the League of Arab States; and the Organization of the Islamic Conference. That is what led the delegations of the Libyan Arab Jamahiriya, South Africa and Burkina Faso, with the support of the delegations of other Council members, to propose amendments to the draft resolution based on the positions adopted by those regional organizations regarding the possible repercussions of those measures, which could undermine current peace efforts in Darfur and further complicate the situation in the Sudan and the entire region.

We asked that language be included in the draft resolution requesting the Security Council to call on the ICC to defer its consideration of the application made by the Prosecutor on the basis of the provisions of article 16 of the Rome Statute, which gives the Security Council the authority to request the ICC to defer any investigation or prosecution for 12 months. The proposal was drafted to reflect the language set out in the communiqué of the 142nd meeting of the African Union Peace and Security Council, issued on 21 July 2008, which stated that the search for justice should be pursued in a way that does not impede or jeopardize efforts aimed at promoting lasting peace and expressed concern at the misuse of indictments against African leaders, in conformity with its decision on the abuse of the principle of universal jurisdiction, adopted at the eleventh ordinary session of the Assembly of the African Union, held at Sharm el-Sheikh, Egypt, on 30 June and 1 July 2008.

The African Union Peace and Security Council expressed its conviction that, in view of the delicate nature of the processes under way in the Sudan, approval by the Pretrial Chamber of the application by the ICC Prosecutor could seriously undermine the ongoing efforts to facilitate the early resolution of the conflict and the promotion of lasting peace and reconciliation in the Sudan as a whole, which could ease the suffering of the people of Darfur and promote the destabilization of the country and the region. Furthermore, the Peace and Security Council stressed the need for international justice to be pursued in a transparent and fair manner in order to avoid any perception of double standards, in conformity with the principles of international law, and expressed concern at the threat that such a development could pose to efforts aimed at promoting the rule of law and stability and at building strong national institutions in Africa.

Despite all the reasons that we put forward to justify our proposed amendments to the draft resolution, we did not receive the hoped-for response from certain Council members. In addition, because the resolution concerns a very important and sensitive issue — extending UNAMID's mandate within the required time frame — and because we were keen to ensure the continuity and effectiveness of the mission, we accepted the consensual language of the ninth preambular paragraph, which gives the Council the opportunity to further consider the issue of invoking article 16 of the Rome Statute of the ICC regarding the situation in Darfur. We hope that that will be done as soon as possible, because the main objective remains to ensure security and stability in the Sudan and the region, as well as peace and security for the Mission, in order to guarantee its success in Darfur.

We therefore voted in favour of the resolution. We believe that we did not sacrifice our substantive proposals in vain, because we garnered the support of 14 Council members, which was a victory for the entire Council. However, I wonder if, at the request of more than two thirds of the membership of the international community, the Security Council does not invoke article 16 of the Rome Statute, when will it do so?

Mr. Kafando (Burkina Faso) (*spoke in French*): I should like to thank the delegation of the United Kingdom for its tireless efforts in the context of the negotiations on the resolution just adopted, which renews the mandate of the African Union-United Nations Hybrid Operation in Darfur (UNAMID). I must tell Ambassador Sawers and the delegation of the United Kingdom that, on this occasion, we truly appreciated British patience.

Burkina Faso supported the resolution, convinced that UNAMID is the essential intermediary in the efforts to achieve peace and stability in Darfur. It was

with that in mind that we decided to deploy swiftly to Darfur a battalion of nearly 800 troops to make our contribution to the pacification of the Sudan. We express our satisfaction that the Council managed to retain its unity regarding the extension of UNAMID's mandate. We appeal to the troop contributors, the donors and the entire international community to lend all the necessary support to the Secretary-General so that he can attain the objective of deploying 80 per cent of UNAMID by 31 December 2008.

Burkina Faso voted in favour of the resolution notwithstanding the fact that not all of our concerns were taken into account, in particular those expressed by the African Union in the communiqué issued by the Peace and Security Council on 21 July 2008. As my delegation stressed during our last round of consultations, the United Nations has invested significant resources and made considerable efforts in the quest for a political solution to the Darfur crisis.

When we consider, in addition to UNAMID's expected deployment, the current involvement of the Sudanese authorities and the fact that the new Joint African Union-United Nations Chief Mediator is soon to take office, it seems clear to us that the international community has never been closer to a political resolution of the crisis. It is therefore desirable that the process be given every chance of success if we are to put an end to one of Africa's deadliest conflicts. That is why it is absolutely crucial that the Security Council return to the issue at a later date, in accordance with the ninth preambular paragraph of resolution 1828 (2008).

Mr. Wolff (United States of America): The United States welcomes and strongly supports the extension of the mandate of the African Union-United Nations Hybrid Operation in Darfur (UNAMID). Today's decision demonstrates the Security Council's sustained support for the UNAMID peacekeeping operation and for its mission to protect the vulnerable civilians of Darfur.

The United States abstained in the voting because the language added to the resolution would send the wrong signal to Sudanese President Al-Bashir and undermine efforts to bring him and others to justice.

This Council cannot ignore the terrible crimes that have occurred throughout the conflict in Darfur and the massive human suffering that the world has witnessed. The Council addressed that tragic situation when it adopted resolution 1593 (2005), and the United States at that time noted the importance that we have attached and that we continue to attach to the Council's role in connection with investigations and prosecutions of the International Criminal Court (ICC). As is well known, the United States abstained in the voting on that resolution in the light of our concerns about the ICC, but, as we said when resolution 1593 (2005) was adopted,

> "We strongly support bringing to justice those responsible for the crimes and atrocities that have occurred in Darfur and ending the climate of impunity there. Violators of international humanitarian law and human rights law must be held accountable." (*S/PV.5158, p. 3*)

Having said that, I would like to make four points concerning our continued strong support for UNAMID.

First, the United States is increasingly concerned about the situation on the ground and will remain vigilant to the situation in Darfur. We are prepared to take additional measures as necessary to ensure that UNAMID deploys rapidly and completely and is empowered to fulfil its mandate.

Secondly, we deeply regret that, one year after the adoption of resolution 1769 (2007), UNAMID has barely begun to complete its vital mission. Deployment now stands at just over 9,000 troops and police officers — not even half of authorized levels. UNAMID's slow deployment is seriously interfering with its ability to protect itself and to fulfil its mandate in Darfur. The Security Council has sought to end the suffering of the people of Darfur, but we have fallen far short of our responsibility to protect them. We appreciate the efforts of the Secretary-General, the troop contributors and the donors that are assisting them, but we must do better and we must do more. The lives of United Nations peacekeepers and of millions of innocent civilians depend on it. We urge all parties to redouble their efforts to ensure UNAMID's prompt, complete and effective deployment.

The United States is cooperating wholeheartedly in that endeavour through our work to train and equip peacekeepers to UNAMID's standards. We will continue to seek new avenues for providing concrete assistance to UNAMID's full and rapid deployment. We urge the United Nations to redouble its efforts to construct suitable infrastructure for rapid UNAMID expansion and to ship contingent-owned equipment to

Darfur as quickly as possible. We urge the United Nations to consider all options at its disposal to improve performance on those key points, the slow progress of which continues to hinder UNAMID deployment and operations.

Thirdly, we call on the Government of the Sudan to make every effort to facilitate UNAMID's deployment. We demand that the Government of the Sudan accept all troop contributions without reservations and in the order in which UNAMID commanders deem it feasible to deploy them. We demand that the Government of the Sudan comply fully with all Security Council resolutions, with the terms of the status-of-forces agreement and with all agreements pertaining to UNAMID. The Government of the Sudan must ensure UNAMID's free and secure movement in fulfilment of its mandate. All attacks on UNAMID personnel are unacceptable and will not be tolerated. We must hold the Government of the Sudan responsible for the safety and security of UNAMID and its personnel.

Fourthly, the United States will continue to keep a constant eye on the peace process and take all measures necessary to support it. We urge all of the parties to the conflict in Darfur to reach a lasting settlement. UNAMID must fulfil its mission in tandem with a viable peace process if there is to be an end to the terrible suffering in Darfur.

Mr. De Rivière (France) (*spoke in French*): My delegation welcomes the adoption of resolution 1828 (2008) and warmly thanks the United Kingdom for its efforts to bring the negotiations to completion. France fully supports the African Union-United Nations Hybrid Operation in Darfur (UNAMID) and hopes that its deployment will progress rapidly and unimpeded. We stress that the issue of support for UNAMID enjoys unanimity in the Council, which we welcome. The situation in Darfur, like that in the border areas of neighbouring countries affected by the crisis there, continues to merit the resolute involvement of the Council. We should spare no effort to ensure that UNAMID is able to complete its mission.

We take note of the request made, inter alia, by the African Union to defer the process initiated by the International Criminal Court. France, for its part, is deeply committed to the fight against impunity and to the work of the Court, which should follow its own course. We continue to appeal for the cooperation of the Sudanese authorities with the Court, including with respect to the outstanding arrest warrants against Mr. Harun and Mr. Kushayb. France also appeals to the Sudanese authorities and all parties to cease hostilities, facilitate the work of humanitarian workers, cooperate with UNAMID and resolutely commit themselves to a political process under the auspices of the United Nations and the African Union.

Mr. Kleib (Indonesia): Let me first express my delegation's appreciation to the United Kingdom for preparing the resolution, taking the leading role in the negotiations and providing ample time for our deliberations. It is indeed very unfortunate that the resolution did not enjoy consensus.

My delegation fully supports the deployment and work of the African Union-United Nations Hybrid Operation in Darfur (UNAMID), and therefore fully endorses the extension of its mandate. As a United Nations Member State and a police contributor to UNAMID, and in remembrance of the very regrettable tragedy visited upon UNAMID personnel recently, Indonesia welcomes the resolution's appropriate recognition of the issue of the safety and security of UNAMID personnel, including in relation to the urgent contribution to and prompt deployment of critical force enablers.

As stated in paragraph 9 of resolution 1828 (2008),

> "there can be no military solution to the conflict in Darfur, and ... an inclusive political settlement and the successful deployment of UNAMID are essential to re-establishing peace".

The resolution expresses the Council's insistence on a political solution and its readiness to take action against those impeding the peace process.

I wish also to reiterate Indonesia's position on the need to strike a balance between the promotion of justice and the pursuit of peace. In that regard, we fully support the views of the African Union, the League of Arab States and the Organization of the Islamic Conference as expressed in their respective letters to the Council, as well as those of the Non-Aligned Movement on the need for the Security Council to assume its responsibility for maintaining international peace and security and to ensure that the ongoing peace process in Darfur is not jeopardized.

My delegation therefore supports the call for the Council to consider requesting the ICC to defer the investigation in relation to the situation in Darfur, in line with article 16 of the Rome Statute. Indeed, resolution 1593 (2005), which referred the situation in Darfur to the Prosecutor of the ICC, envisaged, in its second preambular paragraph, the possible deferral of the case. The Rome Statute itself recognizes the role of political and security considerations in the pursuit of justice, as reflected in its article 16.

Now, the Security Council needs to find ways to respond to any possible obstruction of the peace process and of the maintenance of international peace and security. We are hopeful that the Council will consider positively the request made by those organizations, in particular the African Union, which is the partner of the United Nations in the political and peacekeeping endeavour in Darfur. The Security Council became involved in Darfur because of the urgent need of the people of Darfur to be protected. The persistence of the conflict would definitely not serve that purpose.

Finally, it is our wish that the resolution we have just adopted not only will support continuously the work of UNAMID but will also contribute to the promotion of the Peace Agreement and to the easing of the humanitarian situation in Darfur.

Mr. Grauls (Belgium) (*spoke in French*): We are pleased that today the Council has renewed the mandate of the African Union-United Nations Hybrid Operation in Darfur (UNAMID), which sends a clear message regarding the future deployment of the Mission, which is working in very difficult circumstances to promote the well-being of the population of Darfur. That is why Belgium voted in favour of resolution 1828 (2008).

The resolution firmly calls upon the Sudanese Government to cooperate fully with UNAMID and to fulfil its commitments. A year after our initial decision to deploy the mission, it is more than time for the Sudan to halt all obstruction of that deployment. The resolution also demands once again that all sides put an end to violence, and refers in particular to aerial bombing, which kills innocent civilians.

No less important are the provisions calling for unhindered humanitarian access and demands an end to violence against peacekeepers and humanitarian personnel. We also value the paragraphs of the resolution calling for a revival of the political process and calling on all parties to fully commit themselves to the process, in particular those rebels who have remained reluctant or have refused to commit themselves.

Another aspect of the text relates to fighting impunity and the need to bring to justice those responsible for crimes in Darfur. We would have preferred to see agreement on even firmer language in that regard. From the outset of this debate, Belgium has taken an unambiguous position of principle. The fight against impunity in Darfur is of the highest priority and should go hand in hand with the political process, so that a lasting settlement can be attained.

We strongly support the International Criminal Court and the pursuit of international justice. We look forward to the decision to be taken by the Pretrial Chamber in a matter of months regarding the Prosecutor's application for an indictment by the Court. We refute the arguments of those who are calling upon the Council to react in advance to developments that we cannot foresee at this stage, by invoking article 16 of the Rome Statute; some wished in fact to include that element in this resolution on UNAMID, where such a debate is entirely out of place. That is why resolution notes that some delegations may come back to the Council with regard to the process under way in the International Criminal Court.

It was the Security Council that, by resolution 1593 (2005), asked the International Criminal Court to take up the situation in Darfur. Given the systematic refusal of the Government of the Sudan to cooperate, we called again on that Government to cooperate with the Court, through the presidential statement of 16 June (S/PRST/2008/21). In particular, that Government must hand over to the Court the two persons for whom the Court has issued arrest warrants, Ahmed Haroun and Ali Kushayb, who continue openly to enjoy impunity in the Sudan.

The Sudan's obligations and responsibilities in Darfur are clear. They have been set out in all previous resolutions, as well as in this one. Belgium will continue to work in the Security Council to ensure respect by the Sudan for all Council resolutions. We owe it to the population of Darfur, but we also owe it to the cause of international justice.

Finally, I wish to thank the delegation of the United Kingdom for its efforts leading to the adoption of resolution 1828 (2008).

Mr. Mantovani (Italy): I too wish to commend the United Kingdom delegation for its endeavours during the negotiations leading to today's outcome.

Italy welcomes the adoption of resolution 1828 (2008), on the renewal of the mandate of the African Union-United Nations Hybrid Operation in Darfur (UNAMID). I wish to take this opportunity to express our strongest support for the force. In that connection, we also believe it to be absolutely essential that full deployment of UNAMID be accomplished and that the force become fully effective in fulfilling its tasks, especially considering the dire humanitarian situation and the terrible security conditions of the civilian population. At the same time, we reaffirm the crucial importance of the search for a political solution in Darfur, calling on all parties to engage fully and constructively in the peace process. To that end, we welcome the appointment of the joint African Union-United Nations Chief Mediator, Mr. Djibril Yipènè Bassolé.

Italy, as a founding member of the International Criminal Court (ICC), fully supports the inviolability of the independence of the Court and its role in promoting international justice and fighting impunity. Finally, Italy fully subscribes to the content of the 15 July declaration of the European Union presidency.

The President: I shall now make a statement in my capacity as the representative of Viet Nam.

Viet Nam voted in favour of the draft resolution contained in document S/2008/506 in accordance with our policy supporting the full and expeditious deployment of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) and, hence, the renewal of UNAMID's mandate for another 12 months, until 31 July 2009.

We would like to thank the delegation of the United Kingdom for having submitted the draft resolution on which we have just voted. We note with appreciation that our contributions have been reflected in the text of the resolution. Viet Nam holds that the Council must take a comprehensive approach to the Darfur conflict, which requires that attention be devoted equally to peace and justice; to the peace and political processes; to UNAMID's deployment and the safety of its staff, with a view to ensuring its effective operation; and to reconciliation in Darfur and in the Sudan at large.

We share the concerns of the African Union, the League of Arab States and the Non-Aligned Movement, as well as those of many United Nations Member States and Council members, about the possible negative impact of a potential indictment requested by the International Criminal Court Prosecutor against the President of the Sudan on the peace process in that country and on the very operation of UNAMID. We take note of the fact that those concerns are reflected in the ninth preambular paragraph of the resolution.

I now resume my functions as President of the Security Council.

I now give the floor to the representative of the Sudan.

Mr. Mohamad (Sudan) (*spoke in Arabic*): Today, Sir, was the last day of the mandate of the African Union-United Nations Hybrid Operation in Darfur (UNAMID), and it is the last day of your presidency of the Security Council for the month of July. I wish on this occasion to extend to you my gratitude, Mr. President, for the wise and excellent manner in which you have guided the work of the Security Council throughout this extremely busy month, during which we have witnessed many developments. It is a manner, Sir, that reflects your diplomatic wisdom and high professionalism, as well as the greatness of your country and its historical contributions, which inspire all our peoples.

I would also like to extend my thanks and gratitude for the valuable efforts undertaken by Ambassador Sawers, Permanent Representative of the United Kingdom of Great Britain and Northern Ireland, which sponsored the resolution. We commend the delegation of the United Kingdom for its strenuous efforts in that respect.

My country is very gratified that the Security Council has adopted the special resolution on the renewal of the mandate of the African Union-United Nations Hybrid Operation in Darfur (UNAMID). The Mission's mandate, as defined in resolution 1769 (2007), opened the way towards cooperation and partnership among the Sudan, the African Union and the United Nations. Since our adoption of that

resolution on this day last year, many positive developments have occurred with respect to the hybrid operation, which we hope will attain 80 per cent deployment by the end of this year, as indicated by the Secretary-General.

I would like to emphasize before this Council that the Sudan continues to be fully committed to its pledges concerning the hybrid operation and will continue to be so. The Security Council should provide similar cooperation; give highest priority to the peace process; and allay all threats to the process, such as the measure undertaken by the Chief Prosecutor of the International Criminal Court (ICC); take decisive measures against the rebel movements that are trying to impede the peace process, to the point that some have even invaded our capital, Khartoum; and stop sending conflicting messages to those rebel groups.

The resolution that has been adopted today clearly emphasizes the fact that we should support the Chief Mediator, Mr. Djibril Bassolé. The Council should also match those words with deeds, and the efforts of Mr. Bassolé should be supported in a manner that would allow us to maintain lasting peace in Darfur and to bolster our country's national efforts to promote the peace process; as clearly demonstrated by the historic visit of the President of the Republic of the Sudan to the three Darfur provinces over the past few days.

In emphasizing our interest in supporting the paths of peace, the maintenance of peace and humanitarian assistance, and the rehabilitation of Darfur, we offer our respect and gratitude for the great and historic role undertaken by the African Union. The African Union is a principal partner, even before the United Nations, in the maintenance of peace in Darfur and in the ongoing peace process there. The African Union is not a foreign element; in fact, it is an inherent partner in all matters related to Darfur.

In commending the role of the African Union, the principal partner in all issues concerning peace and stability of Darfur, we also commend the very important adoption by the African Union, at the emergency ministerial meeting of its Peace and Security Council at Addis Ababa, of a resolution that seeks to rise above the impediments and complexities created by the unfortunate and tragic action taken by the Chief Prosecutor of the ICC against one of the greatest leaders of the African continent, who has put an end to the longest-running conflict there and brought about peace between the South and the North of the Sudan.

At a time when the use of double standards is rife used and real crimes are being covered up in many parts of the world, Africa, which is burdened by its own problems, hopes that its efforts and initiatives will be respected by this Organization, as its principal partner. We should move beyond the measure taken by the Chief Prosecutor, which is a recipe for destruction and ruin and poses a catastrophic danger to the stability, security and unity of the Sudan, the region as a whole and even the entire African continent.

In conclusion, I would like to emphasize once more our appreciation to you, Sir, and to the members of the Council for your wonderful efforts. I reiterate our welcome to the renewal of the mandate of the UNAMID. We also wish to stress that no one is more impacted by and concerned with the problems of Darfur than the Government and the people of the Sudan. We are pleased to see the international community's respect for the sovereignty, independence and territorial integrity of the Sudan bolstered by the tangible measure of the resolution adopted by this Council.

The President: I thank Ambassador Mohamad for his kind words to the presidency.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

As this is the last Council meeting under the presidency of Viet Nam, I wish to take this opportunity to express our sincere thanks to all my colleagues in the Council who have extended their most valuable cooperation to my delegation. I also wish to thank the Security Council secretariat team for its continued support throughout the month and to all of the other Secretariat staff members who have worked behind the scenes in supporting the work of the presidency.

The meeting rose at 10.50 p.m.